

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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|-------------|--|---------------------------|
| Applicants: | Stephen Mark MUELLER et al.                      | Group Art Unit : 2155     |
| Appl. No.:  | 10/628,248                                       | Examiner : B. R. Bruckart |
| Filed:      | July 29, 2003                                    | Confirmation No. : 5445   |
| For:        | PRESENCE ENHANCED TELEPHONY SERVICE ARCHITECTURE |                           |

**RESPONSE TO NOTIFICATION OF NON-COMPLAINT APPEAL BRIEF**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Appeal Brief - Patents  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

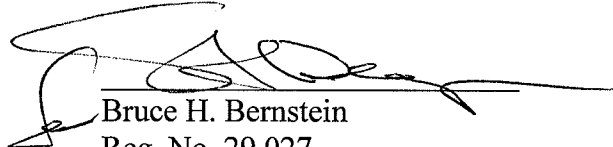
This is a Response to the Notification of Non-Compliant Appeal Brief issued on February 21, 2008. The Notice asserts that the Appeal Brief includes a defective statement of each grounds of rejection. The Notice, however, further states that the entire Appeal Brief does not need to resubmitted, only the section found to be defective. In view of the attached revised section (6) of the Appeal Brief entitled "Grounds of Rejection to be Reviewed on Appeal", Applicants respectfully submit that the Appeal Brief complies with the Rules, and entry of the Appeal Brief is respectfully requested.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

P23666.06

If there are any questions concerning the Appeal Brief or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully Submitted,  
Stephen Mark MUELLER et al.



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March 12, 2008  
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(6) GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-7 and 9-21 are pending in the application. In the Official Action dated July 26, 2007, the Examiner rejected the claims under 35 U.S.C. §102(e) or 35 U.S.C. §103(a). Claims 1-4, 6, 10-11, 13-14, 16-17 and 20-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by PESSI et al. (US 2004/0083291 A1). Claims 5, 7 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over PESSI et al. in view of LILLIE et al. (US 2004/0131042 A1). Claims 12, 15 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over PESSI et al. in view of LEI et al. (US 2004/0203664 A1). Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over PESSI et al. in view of HIRI et al. (US 7,123,707 B1).